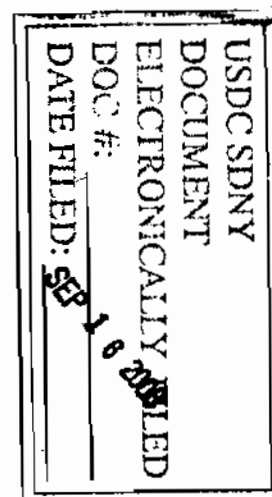


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JARED M. COHEN, J.D.
AARON S. GILBERT, J.D.
AJAY SARKARIA, J.D.



September 15, 2008

SENT VIA TELEFAX (212.805.6737)

Honorable George B. Daniels, U.S.D.J.
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007-1312

Re: Stanley Chason vs. James W. Zimbler
Docket Number 08CV04578
Our File No. 07-061

SO ORDERED

The conference is adjourned to
October 8, 2008 at 10:30 a.m.

SEP 16 2008

George B. Daniels
HON. GEORGE B. DANIELS

Dear Judge Daniels:

I write to address the Court as to the present status of the above matter. I have written to the Defendant, James W. Zimbler, and enclosed a copy of the Notice of Lawsuit and Notice of Waiver of Service of Summons and Complaint as filed in the Southern District. One such notice was sent to the Defendant at an address of 165 Fern Loase Court, State College, Pennsylvania 15801. Another such notice was sent to the Defendant, James W. Zimbler, at 1328 Zion Road, Bellefonte, Pennsylvania 15801. The ordinary mail has not been returned for either address, but the Certified Return mail has been returned "unclaimed" for both addresses.

I have been specifically advised by my client, Stanley Chason, that the Defendant is aware of the lawsuit and has been attempting to make settlement overtures. This prompted my request for the prior adjournment, and while understanding that the Summons and Complaint, has not as yet, been formally served, I understand nothing would be accomplished by my appearance scheduled for September 16, 2008.

STEPHEN C. GILBERT

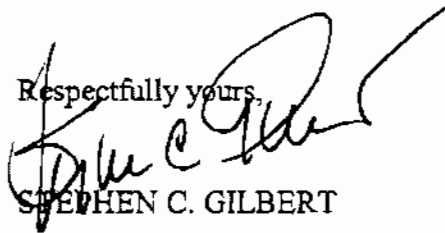
Honorable George B. Daniels, U.S.D.J.

September 15, 2008

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Based upon the above, I have presently endeavored to formally serve the Summons and Complaint upon the Defendant, and ask for the rescheduling of this initial conference. I ask the Court to please inform me of a new date, in the not so distant future, for the initial conference. I trust that service of process in this matter should be confirmed in a reasonable time. I thank the Court for your indulgence.

Respectfully yours,

A handwritten signature in black ink, appearing to read 'Stephen C. Gilbert', is written over the typed name.

STEPHEN C. GILBERT

SCG/dm

cc: Mr. James Zimbler
Mr. Stanley Chason